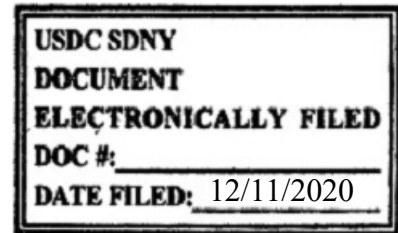


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



CARLOS MARTIN DE LA CRUZ, *on behalf
of himself and all others similarly situated,*

Plaintiff,

-against-

MANHATTAN PARKING GROUP LLC,
et al.,

Defendants.

20-CV-977 (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The parties having settled their dispute, including claims under the Fair Labor Standards Act (FLSA) brought by plaintiff Carlos Martin de la Cruz on behalf of a putative collective consisting of "all parking attendants, washers, cashiers, and other non-exempt laborers employed by Defendants," Compl. (Dkt. No. 1) ¶ 66, and claims under the New York Labor Law, brought by de la Cruz on behalf of a class comprising the same group of employees, *id.* ¶ 69, and having consented to the authority of the assigned magistrate judge for all remaining proceedings pursuant to 28 U.S.C. § 636(c);

It is hereby **ORDERED** that all deadlines previously set in this action are vacated.

It is further **ORDERED** that the parties shall submit, no later than **January 8, 2021**, a motion for preliminary class certification and settlement approval, pursuant to Fed. R. Civ. P. 23(e), which shall also demonstrate why the proposed FLSA collective should be conditionally certified and why the settlement is fair and reasonable as required by *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). *See Hernandez v. Between the Bread 55th Inc.*, 2020 WL 6157027, at *6 (S.D.N.Y. Oct. 21, 2020) (internal quotation mark omitted) (noting that while "[t]he FLSA does not set forth a prescribed procedure for preliminary approval of a FLSA

collective," the parties "must satisfy the Court that their agreement is fair and reasonable" pursuant to *Cheeks*).

Dated: New York, New York
December 11, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge